

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

**In Re: OLGA'S KITCHEN, INC.,**

Chapter 11  
Case No. 15-49008

Debtor.

Hon.

**EX PARTE MOTION FOR EXPEDITED HEARING ON  
MOTION OF COSMO HOSPITALITY LLC FOR ENTRY OF AN ORDER  
ALLOWING ADMINISTRATIVE EXPENSE PRIORITY CLAIM FOR  
SUBSTANTIAL CONTRIBUTION MADE BY CREDITOR  
COSMO HOSPITALITY, LLC PURSUANT TO 11 U.S.C. §503(b)(3)(D) and (b)(4)**

Cosmo Hospitality LLC, an unsecured creditor and party-in-interest in this case ("Cosmo") hereby moves the court to conduct an expedited hearing on its Motion For Entry Of An Order Allowing Administrative Expense Priority Claim For Substantial Contribution Made By Creditor Cosmo Hospitality, LLC pursuant to 11 U.S.C. §503(b)(3)(D) and (b)(4), ("Motion") and in support thereof states as follows.

1. Cosmo has filed the foregoing Motion, seeking entry of an order authorizing payment of an administrative expense priority claim for the expenses Cosmo incurred in connection with making a substantial contribution to the estate, pursuant to 11 U.S.C. §503(b)(3)(D) and (b)(4).

2. Cosmo requests that the court enter the proposed Order attached as Exhibit 1 setting an expedited hearing on the Motion.

3. Under the terms of paragraph 19 of the Sale Approval Order (Docket #402) administrative expenses are paid ahead of all creditors, including secured creditors. The closing of the sale of the Debtor's assets is rapidly approaching, and the Debtor's representatives will

need to know the balance of all administrative claims to properly determine the amount that may be disbursed to creditors and other claimants.

4. Moreover, Cosmo is reasonably concerned that delay in the hearing of the Motion may allow the closing of the sale of the Debtor's assets to take place, and disbursements to be made without Cosmo having received consideration of the Motion.

5. The court has the power under Fed.R.Bankr.P. 9006 and 11 USC §105 to schedule a hearing on whether Cosmo's Motion may be heard on an expedited basis.

WHEREFORE, Cosmo Hospitality, LLC respectfully requests the entry of an order setting an expedited hearing on its Motion For Entry Of An Order Allowing Administrative Expense Priority Claim For Substantial Contribution Made By Creditor Cosmo Hospitality, LLC pursuant to 11 U.S.C. §503(b)(3)(D) and (b)(4), and award such other and further relief as this court deems proper.

Respectfully submitted,

BUTZEL LONG, a professional corporation

/s/ Frederick A. Berg

By: Frederick A. Berg (P38002)  
Attorneys for Cosmo Hospitality, LLC  
Assignee of Delau Fire and Safety  
150 W. Jefferson, Suite 100  
Detroit, Michigan 48226  
(313) 225-7000

Dated: November 30, 2015

**Exhibit 1**

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

**In Re: OLGA'S KITCHEN, INC.,**

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Hon.

**ORDER GRANTING EX PARTE MOTION FOR EXPEDITED HEARING  
ON MOTION OF COSMO HOSPITALITY LLC FOR ENTRY OF AN ORDER  
ALLOWING ADMINISTRATIVE EXPENSE PRIORITY CLAIM FOR SUBSTANTIAL  
CONTRIBUTION MADE BY CREDITOR COSMO HOSPITALITY, LLC  
PURSUANT TO 11 U.S.C. § 503(b)(3)(D) and (b)(4)**

Upon the motion for an expedited hearing on the Ex Parte Motion For Expedited Hearing On Motion Of Cosmo Hospitality LLC For Entry Of An Order Allowing Administrative Expense Priority Claim For Substantial Contribution Made By Creditor Cosmo Hospitality, LLC Pursuant to 11 U.S.C. § 503(b)(3)(D) and (b)(4) ("Motion"), it appearing that sufficient cause exists for the relief requested,

IT IS HEREBY ORDERED THAT an expedited hearing on the whether to grant the Motion, shall be heard on \_\_\_\_\_ at \_\_\_\_m. Objections to granting the Motion may be submitted no later than 5 p.m. on the day preceding the expedited hearing.

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 30th day of November, 2015, a copy of EX PARTE MOTION FOR EXPEDITED HEARING ON MOTION OF COSMO HOSPITALITY, LLC FOR ENTRY OF AN ORDER ALLOWING ADMINISTRATIVE EXPENSE PRIORITY CLAIM FOR SUBSTANTIAL CONTRIBUTION MADE BY CREDITOR COSMO HOSPITALITY, LLC PURSUANT TO 11 U.S.C. §503(b)(3)(D) and (b)(4) was served by electronic filing via the ECF system, upon those parties registered to receive notice in this matter.

BUTZEL LONG, a professional corporation

/s/ Frederick A. Berg

By: Frederick A. Berg (P38002)

Max Newman (51483)

Attorneys for Cosmo Hospitality, LLC

Assignee of Delau Fire and Safety

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